

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Petition of the )  
Community Broadcasters Association ) **RM-9260**  
For Establishment of a "Class A" )  
Television Service )

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To: The Federal Communications Commission -- Mail Stop 1170

COMMENTS OF THE BRUNO GOODWORTH NETWORK INC.

These Comments are filed by The Bruno Goodworth Network Inc., D/B/A  
WBGN-TV, operator of low power television stations W66BQ Beaver County,  
Pennsylvania, W59BT Pittsburgh, Pennsylvania, W56CL New Castle, Pennsylvania,  
W56CG Greensburg, Pennsylvania, W25AX Butler, Pennsylvania, W60BL Kittanning,  
Pennsylvania, W29AV Washington, Pennsylvania, W26AV Charleroi, Pennsylvania,  
W35AW Uniontown, Pennsylvania, W62BT Youngstown, OH, W57BH Steubenville,  
OH, and W28AS Wheeling WV. Our central offices are located at 975 Greentree Road,  
Pittsburgh, PA 15220.

WBGN-TV fully supports the Community Broadcasters Association (CBA)  
petition for rulemaking that was filed for "Class A" television service. Our group of 12  
LPTV stations cover the DMA's of Pittsburgh, Youngstown and Wheeling --  
Steubenville. We provide local news, sports and entertainment to the areas we cover.

Our company is owned by Ron Bruno and Debra Goodworth. Ms. Goodworth is  
one of the few women that have the opportunity to be in an ownership position in  
broadcasting today. The CBA's petition, if passed as written, will enable her to secure

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her future as a broadcaster in this region. It will also enable many other women and minorities to stay in the LPTV business without fear of losing their stations and investments. Ms. Goodworth is representative of a significant number of women and minorities that are involved in the LPTV industry in an ownership position. Infact, in a study done by the Community Broadcasters Association, approximately 42% of all LPTV stations are owned by women and minorities. This diversity of ownership within the LPTV industry is something that the FCC should consider a success story and not something that should be taken away. If LPTV stations are denied permanent status, this little island of broadcast diversity will be in serious jeopardy. With this in mind, the FCC needs to seriously consider the political and public reaction (not no mention the main stream national press reaction) if permanent status is denied to minority and women owned LPTV stations.

Secondary status for any television station is an idea that just doesn't work. For example, let's look at the use of secondary spectrum for a microwave path. The investment would probably have been about \$15,000 in equipment. If the spectrum I am using is taken away, I only loose a microwave path. I can probably retune the equipment for about \$2000 and then use other secondary spectrum to continue operating the microwave path. If this example is placed in contrast to a low power television station secondary spectrum, the results of a spectrum loss are tremendously different. A "Class A" LPTV station as proposed by the CBA would probably have an investment in equipment, building, tower, and people of about \$1,000,000.00 with monthly operating costs of about \$100,000.00. If RM-9260 is not passed than this station could be subject to about \$100,000.00 for a channel change and if there is no channel available this station

will be forced to shutdown. In addition to channel changes, this station will face being replaced by auctions, a future type of DTV or any other future use of spectrum.

**Secondary spectrum for LPTV simply does not work because LPTV stations are full and complete businesses which derive their sole incomes from the use of the spectrum. Most other secondary spectrum users only rely on the spectrum for temporary use, they do not structure a business around it.**

The argument that most FCC staffers have given to me about secondary status is that "You knew the spectrum was secondary when you applied for it". When we applied for our permits we carefully engineered the coverage areas so that we would not cause interference to any existing full power or other LPTV facility. We also made sure that we stayed away from any full power facility operating at a lower power, that might increase to full power in the future. This seemed to be a reasonable approach to business at the time. Once the FCC decided to not take LPTV into account during DTV rulemaking and auctions I quickly realized that I had been deceived by the FCC and interference issues for LPTV secondary spectrum were a "smoke screen" for the advancement of other political agendas. The court will have to decide the FCC's interpretation and implementation of "secondary status" for LPTV if permanent status is not granted to LPTV stations under this proceeding. Any court proceedings on "secondary status" could take years and will probably stall the whole DTV and auction process.

LPTV broadcasters are decent human beings who are just trying to operate a business. LPTV broadcasters for the most part want to do what the FCC wants them to do: serve the public interest. WBGH-TV produces local news, sports and information that is not available on any other broadcast television station. The communities that we

serve depend on us to provide communication to the public on important issues like elections, political agendas and community events. If the rules are not changed as currently written, we will loose all 12 of our LPTV stations because of DTV and auctions, and the communities that we serve will be left without a local television voice. I will personally loose everything (i.e. house, business, car) because I will be forced into bankruptcy. What is my crime to deserve this, supplying local people with local information?

If RM-9260 is passed, we will be able to go to our financial institution and borrow money to compete effectively in this marketplace. Currently the bank will not lend to us or any station that has the “secondary” stigma attached to it because the risk is too high. If WBGH-TV was afforded the opportunity to become permanent we would immediately borrow enough money to buy real estate, equipment and programming to enhance our operations. This would lead to increased ratings, a stronger station and one more television media voice in the community. We need permanent status.

The FCC has devised ways in recent proceedings to help alleviate the destruction of the LPTV service. I appreciate the work the FCC has done in this area but please look at the reality of what was done. The current rules allow us to find a “replacement” channel if we are displaced. This sounds innocent enough but in the real world it is devastating. WBGH-TV operates 12 LPTV stations – under the current rules all of our stations are displaced by DTV or auctions. If we find a “replacement channel” for all 12 stations we will only have to spend approximately \$1,200,000.00 to accomplish the channel changes. Okay maybe we can live with that (I think) but the fact remains that we will spend all of this money and we still have the chance of getting “displaced” again

because we are not permanent. This would seem to be a very clear argument for a reason to have permanent status for LPTV if this example were brought before the courts.

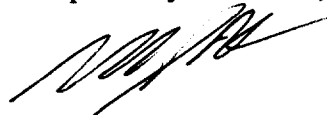
The power increases proposed by the petition are desperately needed by WBGN-TV. There is no guarantee that we will be able to find any replacement channels for our 12 stations. The power increase will enable us to cover area's that we currently cover in the event that we have to shut down some of our stations because of DTV or auctions. In addition, we will be able to better service our market area because we will have a much stronger signal that will reach all of those people who are watching us with rabbit ears in the center of a home or building. Typically with the low ERP of most LPTV's, people are watching a "fuzzy" picture with rabbit ears inside the home or business. There is no reasonable need to continue this oppression of LPTV signal strength, if an LPTV is not interfering with any other service the only reason to limit signal strength would seem to be to limit LPTV's ability to compete in the marketplace. I personally do not believe that the goal of the commission is to squash competition but a very good case could be made in court in favor of LPTV if power limits are not increased as listed in RM-9260.

The local programming requirement proposed by the CBA is a good way to invite LPTV owners to better serve their communities. Some considerations should be given to those operators who are trying very hard to comply but may be financially strained (keep in mind that some operators may have to pay for channel changes during the same period as compliance with Class A takes effect). These operators should be considered on a case by case basis and should not be denied Class A status because of economic status. We all know that there is a huge financial burden associated with local programming. WBGN-TV proposes an 18 month extension request for all economically depressed LPTV's.

Class A stations need to be included in Part 73 of the commissions rules. This will insure that Class A stations maintain proper broadcast standards already established by the FCC. It is imperative that all Class A stations are included in the current Part 73 table of allotments for analog and digital stations. This will prevent future rulemakings from separating Class A stations from any other stations that are included in Part 73 of the commissions rules-thus destroying what is trying to be accomplished with RM-9260.

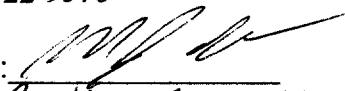
In conclusion, WBGH-TV and the LPTV industry need the FCC to pass RM-9260 as written. The CBA spent countless hours questioning LPTV operators on how to best accommodate all stations – and the comments in these proceedings will for the most part reflect the filings by CBA. The slaughter of the LPTV industry and the destruction of what minorities and women are left in LPTV broadcasting can be averted by passage of this petition for rulemaking. WBGH-TV hopes the commission will consider these comments and call with any questions.

Respectfully submitted,



Ron Bruno  
Bruno-Goodworth Network, Inc.  
(412) 922-9576

Date: May 19, 1998

Signed:   
Print: Ronald J. Bruno Title: Owner